Entered on Docket June 28, 2010

GLORIA L. FRANKLIN, CLERK U.S BANKRUPTCY COURT NORTHERN DISTRICT OF CALIFORNIA



Signed and Filed: June 24, 2010

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12 HELLER EHRMAN LLP,

In re

Debtor.

Debtor In Possession,

BETTER ENERGY SYSTEMS LTD., an

Limited Liability Company; BETTER ENERGY SYSTEMS, INC., a Delaware

unregistered foreign corporation; BETTER ENERGY SYSTEMS LLC, a California

Corporation; and DOES 1 to 10, inclusive,

Defendants.

HELLER EHRMAN LLP, 1/2

VS.

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DENNIS MONTALI U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

Chapter: 11

Case No.: 08-32514

ORDER AND ASSIGNMENT TO BINDING MANDATORY FEE ARBITRATION AND RELIEF FROM STAY

Adversary Proceeding No: 09-3225

The Court, having considered the stipulation of the parties agreeing to binding mandatory fee arbitration before the Bar Association of San Francisco, and agreeing to relief from the automatic stay to conduct such proceedings,

IT IS HEREBY ORDERED that this matter be resolved through binding mandatory fee arbitration before the Bar Association of San Francisco, and that defendants shall

¹/ Federal Tax I.D. No. XX-XXX-7308; 333 Bush Street, San Francisco, CA 94104 Firm File No. 8375

ADLER LAW FIRM 101 MONTGOMERY STREET, SUITE 2050 SAN FRANCISCO, CALIFORNIA 94104 TELEPHONE: (415) 433-5333 FACSIMILE: (415) 433-5334

have no right to receive any actual monetary recovery of any kind absent further order of the Bankruptcy Court.

This Order has been approved as to form and content

Firm File No. 8375

Thomas A. Willoughby Counsel for the Creditors' Committee

END OF ORDER

ORDER AND ASSIGNMENT TO BAR ASSOCIATION OF SAN FRANCISCO BINDING ARBITRATION

- 2 -

Case No. 09-3225

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